

Amendments to the Claims

This listing of claims replaces all previous versions and listings of claims in this application.

1-38. (canceled)

39. (currently amended) A multi-layered thermoformed food ~~container~~ tray comprising first, second, and third layers heat-set into a rigid, dimensionally stable article having a bottom portion and a flange portion, wherein the first, second, and third layers comprise:

a first polymeric layer comprising an alkylene terephthalate or naphthalate polymer;

a second intermediate layer comprising a grafted or backbone co-polymer or ter-polymer of ethylene, a glycidyl acrylate, and optionally an acrylate selected from the group consisting of methacrylate, ethylacrylate, propylacrylate, butylacrylate, ethylhexylacrylate, and mixtures thereof; and

a third polymeric layer comprising high density polyethylene, low density polyethylene, linear low density polyethylene, or a blend thereof;

wherein the first layer comprises a blend of (i) virgin polymer and (ii) reprocessed polymeric materials from the first, second, and third layers.

40. (currently amended) The food ~~container~~ tray of claim 39 wherein said first polymeric layer is selected from the group consisting of PET, PEN, PETG, PCT, PCTA, PBT, PTT, and mixtures thereof.

41. (currently amended) The food ~~container~~ tray of claim 39 wherein said first polymeric layer comprises one or more optionally branched homo-polymers, co-polymers, reprocessed polymers, recycled polymers, or a mixture thereof.

42. (currently amended) The food ~~container~~ tray of claim 39 wherein said second intermediate layer is selected from the group consisting of ethylene/glycidyl methacrylate co-polymer, ethylene/glycidyl methacrylate/methacrylate ter-polymer, ethylene/glycidyl methacrylate/ethylacrylate ter-polymer, ethylene/glycidyl methacrylate/butylacrylate ter-polymer, ethylene/glycidyl methacrylate/ethylhexylacrylate ter-polymer, and mixtures thereof.

43. (currently amended) The food ~~container~~ tray of claim 42 wherein said second intermediate layer comprises a grafted co-polymer or ter-polymer.

44. (currently amended) The food ~~container~~ tray of claim 42 wherein said second intermediate layer comprises a blend of (i) said co-polymer or ter-polymer and (ii) a co-polymer of ethylene and an acrylate.

45. (currently amended) The food ~~container~~ tray of claim 39 wherein said first polymeric layer is ~~visibly~~ dimensionally distorted when the food container tray is filled with food and is exposed to microwave radiation.

46. (currently amended) The food ~~container~~ tray of claim 39, wherein said first polymeric layer is heat set and wherein said food container tray is suitable for cooking in a microwave oven.

47. (currently amended) The food ~~container~~ tray of claim 39, wherein said food container tray contains foodstuff and is sealed with highly elastic polyethylene-based lidding stock using modified atmosphere packaging.

48-77. (canceled)

78. (currently amended) A multi-layered thermoformed microwavable food tray comprising first, second, and third layers heat-set into a rigid article which is[,] dimensionally stable at elevated temperatures encountered in cooking applications, the article having a bottom portion and a flange portion, wherein the first, second, and third layers comprise:

a first polymeric layer comprising a polyethylene terephthalate ~~or naphthalate~~ polymer;

a second intermediate layer selected from the group consisting of ethylene/glycidyl methacrylate co-polymer, ethylene/maleic anhydride co-polymer, ethylene/glycidyl methacrylate/methacrylate ter-polymer, ethylene/glycidyl methacrylate/ethylacrylate ter-polymer, ethylene/glycidyl methacrylate/butylacrylate ter-polymer, ethylene/glycidyl methacrylate/ethylhexylacrylate ter-polymer, ethylene/maleic anhydride/methacrylate ter-polymer, ethylene/maleic anhydride/ethylacrylate ter-polymer, ethylene/maleic anhydride/butylacrylate ter-polymer, ethylene/maleic anhydride/ethylhexylacrylate ter-polymer, and mixtures thereof; and

a third polymeric layer comprising high density polyethylene, low density polyethylene, linear low density polyethylene, or a blend thereof;

wherein the first layer comprises a blend of (i) virgin polymer and (ii) reprocessed polymeric materials from the first, second, and third layers.

79. (previously amended) The multi-layered thermoformed microwavable food tray of claim 78 wherein:

said first polymeric layer has an average thickness of from about 5 to about 35 mils;

wherein said second intermediate layer has an average thickness of from about 0.1 to about 2 mils;

wherein said third polymeric layer has an average thickness of from about 1 to about 5 mils; and

wherein said container has an area stretch ratio of from about 1.5:1 to about 3:1.